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FISCAL IMPACT STATEMENT

LS 7659

BILL NUMBER: HB 1439

NOTE PREPARED: Feb 28, 2005

BILL AMENDED: Feb 28, 2005

SUBJECT: Voter Identification.

FIRST AUTHOR: Rep. Brown T

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Proof of Voter Identification*- The bill requires a precinct election officer to ask a voter to provide proof of identification before the voter is permitted to vote. The bill provides that a proof of identification is a document issued by the United States or the state of Indiana that shows the name of the individual to whom the document was issued and a photograph of that individual. The bill permits the use of an expired document as proof of identification if the document expired after the date of the most recent general or municipal election.

Provisional Ballots- The bill specifies that a voter who is unable or declines to produce proof of identification at the polls receives a provisional ballot if the voter signs the affidavit required for a provisional ballot. The bill requires the county election board to count the provisional ballot if : (1) the voter appears before the board after leaving the polls and before noon on the Monday following the election, and: (A) produces proof of identification; or (B) executes an affidavit stating that the voter cannot obtain proof of identification, because the voter: (I) is indigent; or (ii) has a religious objection to being photographed; and (2) the voter has not been challenged or required to vote a provisional ballot for any other reason.

Absentee Ballots- The bill specifies that a voter casting an absentee ballot is not required to provide proof of identification. The bill requires a voter who registered by mail and is voting for the first time in a county election to continue to provide the documentation required by federal law as well producing proof of identification.

Secretary of State- The bill requires the Secretary of State to mail notice to certain voters before each primary and general election describing the requirements of Indiana law for a voter to show proof of identification at

the polls.

Bureau of Motor Vehicles- The bill provides that the Bureau of Motor Vehicles may not impose a fee for issuance of an identification card. The bill voids the Bureau of Motor Vehicle's administrative rule that sets fees for an identification card.

Effective Date: July 1, 2005.

Explanation of State Expenditures: (Revised) *Secretary of State-* Under the bill, the Secretary of State (SOS) would be required to send a mailing, before the 2006 general primary and 2006 general election, to all registered voters. For every general election thereafter, the SOS would be required to send mailings to newly registered voters only. The mailing would describe the requirements for a voter to show proof of identification before voting. The provision could require postage cost of at least \$0.5 M to \$0.7 M per mailing (to all registered voters) depending on the rate in the first year of implementation. (The rates used in estimate range from \$0.12 to \$0.17).

The actual impact would depend on the rate of postage the Secretary of State could secure for a mass mailing via the United States Postal Service (USPS) plus the cost to print the mailings.

Background: The USPS requires an annual fee of \$150 for mass mailings. Additionally, bulk mailers are required to obtain a mailing permit of \$150. The acquisition of the permit allows a mass-mailer to buy postage at a discount rate. The discount rate depends on several factors including the size, weight, and whether or not the mailed items are automated.

There were approximately 4.3 M registered voters in Indiana for the 2004 General Election.

The SOS reverted \$5,291 at the end of FY 2004.

Explanation of State Revenues: (Revised) *Bureau of Motor Vehicles-* Under the bill, the Bureau of Motor Vehicles (BMV) would be required to offer original issue, renewal, or duplicate identification cards without charging a fee. It is estimated that the Bureau would experience an annual revenue loss of approximately \$2 M under this provision beginning in FY 2006. Revenue from identification cards is deposited into the Motor Vehicle Highway Account, the Motor Vehicle Technology Fund, and the state License Branch Fund.

Background Identification Cards- From CY 2000 to CY 2004 the BMV has issued an average of 210,900 identification cards and an average of 15,900 special identification cards annually. Identification cards currently have a fee of \$9 and special identification cards have a current fee of \$7. About 9.5% of identification cards on file were obtained by individuals under 18 years of age through December, 2003.

Explanation of Local Expenditures: *Summary-* Under the bill, poll clerks and assistant poll clerks would check photo identification of voters before allowing entrance to the polls. If a voter either failed or refused to produce the identification required under the bill, or a poll worker were to determine that the identification presented did not qualify as proof of identification of the voter, the voter would be required to be challenged by the precinct election board. Upon completion of the proper affidavit, a challenged voter, under the bill, would be able to vote on a provisional ballot.

Additionally, the bill would give the option to challenged voters to appeal their challenge with the county

election board (CEB). The CEB would determine if the challenge had been made for a valid reason under the bill. The CEB would be required to determine if the sole reason for a voter challenge was due to proof of identification issues. A challenged voter could have their challenge overturned and their ballot processed by presenting their proof of identification to the CEB. Voters that were solely challenged for proof of identification and were indigent or had a religious objection to being photographed would be able to have their provisional ballot processed.

These provisions of the bill would add to the administrative responsibility of both the county election boards and precinct election boards. However, the provision should be able to be administered within existing local resources.

Background- Based on a small sample of Indiana counties, per diem for election board members range from \$65 to \$150 for inspectors and from \$40 to \$100 for judges, clerks, and sheriffs.

Explanation of Local Revenues:

State Agencies Affected: Bureau of Motor Vehicles; Secretary of State.

Local Agencies Affected: County election boards, precinct election boards.

Information Sources: Various County Election Boards and County Circuit Court Clerk's Offices; United States Postal Service; Indiana Election Division; Bureau of Motor Vehicles.

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